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# **FACSIMILE COVER SHEET**

TO: S. Gucker

Group Art Unit 1645

Company: U.S. Patent Office

U.S. Patent Office

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U.S. Serial No.:

09/115,589

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Date:

March 10, 2000

Sent By:

Carol Miernicki Steeg

Pages including this

cover page:

5

MESSAGE:





### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VAN EYK, J.E., et al.

Scrial Number:

09/115,589

Filed:

July 15, 1998

Group Art Unit:

1645

Title:

Methods of Diagnosing Muscle Damage

Examiner:

Gucker, S.

Agent Ref. No.:

1997-023-02US

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Washington DC 20231 on the date set forth below:

10 Mari

Date

Carol Miernicki Steep Reg. No. 39.53

March 10, 2000

The Commissioner of Patents and Trademarks

Washington, D.C. 20231

## AMENDMENT and RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir,

This is in response to the Office Action (for restriction only), Paper No. 5, which was remailed to the undersigned agent on February 10, 2000, the period of one month for responding thereto being restarted to begin on the remailing date of February 10, 2000.

#### IN THE CLAIMS:

Please cancel claims 37-40 without prejudice or disclaimer thereof, and amend claims 1, 2, 4, 7, 8 and 41 as follows: